

GUARDIANSHIP CALENDAR NOTES

July 10, 2020

1:30 PM & 1:31 PM, Department 40

Placer County Superior Court

UPDATED July 8, 2020, 8:00 AM

All current local court COVID-19 information is at <http://www.placer.courts.ca.gov/general-covid-19.shtml>. In particular, please note:

Local Rule 10.28, "Remote Appearances—COVID-19 State of Emergency Temporary Rule," enacted April 6, 2020, requires remote telephone appearances for most court hearings. See Local Rule 10.28 for more details.

Local Rule 10.27, "eDelivery," requires electronic filing of documents by attorneys and represented parties.

These calendar notes are provided pursuant to Local Rule 80.1.4 for the guardianship and guardianship review calendars set for hearing **July 10, 2020, 1:30 and 1:31 PM, in Department 40**, Commissioner Michael A Jacques, presiding. Pursuant to Local Rule 80.1.4, these calendar notes are **not** a tentative ruling on the merits of any matter before the court.

Updated notes may be posted at any time. Notes will generally be updated the court day prior to the hearing. Staff may respond to limited questions concerning calendar notes; however, court staff may not give legal advice to parties or attorneys. Messages may be left for the Office of Legal Research at (916) 408-6119.

1:30 PM

1. S-PR-0005201 Robles, Izaac I; In re guardianship of

Appearance is required for hearing on order to show cause re suspension of guardianship due to guardians' failure to comply with prior court orders.

Missing response by guardians.

It is recommended guardians be suspended and the court issue an order to show cause re termination of guardianship.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

2. S-PR-0006439 Kelly, Jalen - In Re the Guardianship of

Appearance is required for guardianship status / OSC hearing.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

3. S-PR-0006941 Milton, Amanda & Steven - In Re the Guardianship of

Fourth and final account of the guardianship estate of Steven Milton is recommended for approval as prayed.

4. S-PR-0007985 Jones, Ava Jean - In Re the Guardianship of

Petition to terminate guardianship

Appearance is required for hearing on petition to terminate guardianship.
Missing notice of hearing. Missing service of notice of hearing.

Annual guardianship review

Missing annual guardianship report (GC-251).

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

5. S-PR-0008106 Banning, Hailey, Damien & Hayden; In re guardianship

2nd guardianship account (Hailey Banning)

Appearance is required for hearing on second guardianship account.
Missing notice and service of notice of hearing to minor. Minor is no longer exempt from notice under Prob.C. § 1460.1.

Clarification is needed: summary of account on pp. 2-3 of the accounting conflicts with summary of account attached to the accounting, without explanation.

It is recommended the court revoke the fee waiver granted in 2016, as the estate has sufficient funds to pay required filing fees.

2nd guardianship account (Damien Banning)

Missing notice and service of notice of hearing to minor. Minor is no longer exempt from notice under Prob.C. § 1460.1.

Clarification is needed: summary of account on pp. 2-3 of the accounting conflicts with summary of account attached to the accounting, without explanation.

It is recommended the court revoke the fee waiver granted in 2016, as the estate has sufficient funds to pay required filing fees.

2nd guardianship account (Hayden Banning)


Missing notice and service of notice of hearing to minor. Minor is no longer exempt from notice under Prob.C. § 1460.1.

Clarification is needed: summary of account on pp. 2-3 of the accounting conflicts with summary of account attached to the accounting, without explanation.

It is recommended the court revoke the fee waiver granted in 2016, as the estate has sufficient funds to pay required filing fees.

Order to show cause

It is recommended the order to show cause be dismissed.

 As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.


6. S-PR-0008123 Cheng, Aidan Hao-Yuan & Megan Wo; In re guardianship

Fourth guardianship accounts are recommended for approval.

Note: petitioner lodged financial account statements under Local Rule 80.1.8 without the required postage-prepaid envelope (envelope provided has no postage affixed).

7. S-PR-0008180 Serrano Bauer, Ma Angelica M & Jessica Bauer; Guard

Appearance is required for continued hearing on petition for visitation orders.

 As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

8. S-PR-0008350 Joslin, Airiana & Garret - In Re the Guardianship of

Appearance is required for continued hearing on guardianship accounts.

Accounts are not in the format required by Prob.C. §§ 1060-1063 and C.R.C. 7.550 et seq. Accounts may not be filed as attachments to a confidential filing—they must be separately filed and noticed for hearing.

Missing account for period from October 11, 2017, the date of issuance of letters, through December 31, 2017. Prior accounts for this period were not approved by the court.

Missing schedule of property on hand at beginning of guardianship. Inventory and appraisal attached to account appears to show property on hand at the beginning, which is improper (inventory and appraisal establishes beginning property on hand and values).

Schedule A omits all receipt transactions. Attached accounting software printouts reveal the account had various forms of income, including dividends, capital gains dividends, and interest, and may have had gains on sales. Missing all charge schedules.

Schedules C through E omit schedule of any losses on sale. Liabilities are not credits to the estate and may be set forth only in a supplemental schedule. Guardians should show why the estate, which appears to have ample cash, has any liabilities.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

9. S-PR-0008899 Gignac, Sage Arabella - In Re the Guardianship of

Petition to terminate guardianship

Appearance is required for hearing on petition to terminate guardianship.

Court determination is needed as to request to waive notice to mother. C.R.C. 7.52 declaration of efforts to locate and serve mother is needed.

Court determination is needed as to request to waive notice to unknown father. Mother reported to the court investigator in 2018 that she believed Dakota Elliot to be the father of minor. C.R.C. 7.52 declaration of efforts to locate and serve Elliot is needed.

Missing investigation report. However, because of the need for a Placer County CSOC non-relative guardianship investigation, it is recommended the court waive the termination investigation.


Petition to appoint successor joint guardians of the person

Appearance is required for hearing on petition for appointment of successor joint guardians of the person.

Court determination is needed as to request to waive notice to mother. C.R.C. 7.52 declaration of efforts to locate and serve mother is needed.

Court determination is needed as to request to waive notice to unknown father. Mother reported to the court investigator in 2018 that she believed Dakota Elliot to be the father of minor. C.R.C. 7.52 declaration of efforts to locate and serve Elliot is needed.

Missing Placer County CSOC non-relative guardianship investigation report. It appears the clerk may have inadvertently failed to refer this petition to Placer County for investigation.

 As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

10. S-PR-0009230 George-Parker, Jed Riley; In re guardianship of


Appearance is required for hearing on first guardianship account.

Missing notice of hearing and service of notice of hearing.

Guardian response is needed: account shows that nearly all non-real property assets are invested in mutual funds. The order appointing guardian required all but \$45,000 of cash to be held in a blocked account, with no Prob.C. § 2574 order authorizing the purchase of mutual funds. The accounting does not show any change in the form of assets (including any purchase of any securities (the reinvestment purchases are scheduled as disbursements only)). The account suggests there are substantial cash assets in the estate (Petition, ¶ 13), contrary to the financial statements which show almost no cash assets in the estate.

Guardian response is needed: financial statements show that guardianship assets held in a nonguardianship account and, in that account, are commingled with nonguardianship assets (CUTMA account no. -92-1-9). Guardian acknowledges that CUTMA assets are not guardianship assets by omitting pre-guardianship custodian assets from the accounting. It is unclear why assets are held in a nonguardianship custodial account.

Property on hand schedules do not set forth securities in the estate. Investment account hold assets (cash, stock, bonds, etc.), but are not themselves assets. CEB Fiduciary Accounting Handbook § 4.32.

 As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

11. S-PR-0009231 Parker, Blake Warren; In re guardianship of

Appearance is required for hearing on first guardianship account.

Missing notice of hearing and service of notice of hearing.

Guardian response is needed: account shows that nearly all non-real property assets are invested in mutual funds. The order appointing guardian required all but \$45,000 of cash to be held in a blocked account, with no Prob.C. § 2574 order authorizing the purchase of mutual funds. The accounting does not show any change in the form of assets (including any purchase of any securities (the reinvestment purchases are scheduled as disbursements only)). The account suggests there are substantial cash assets in the estate (Petition, ¶ 13), contrary to the financial statements which show almost no cash assets in the estate.

Guardian response is needed: financial statements show that guardianship assets held in a nonguardianship account and, in that account, are commingled with nonguardianship assets (CUTMA account no. -32-1-8). Guardian acknowledges that CUTMA assets are not guardianship assets by omitting pre-guardianship custodian assets from the accounting. It is unclear why assets are held in a nonguardianship custodial account.

Property on hand schedules do not set forth securities in the estate. Investment account hold assets (cash, stock, bonds, etc.), but are not themselves assets. CEB Fiduciary Accounting Handbook § 4.32.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

12. S-PR-0009910 Black, Evan A & and Inmani G; In re guardianship of

Petition for appointment of guardian of the estates (A Black)

Appearance is required for continued hearing on petition for appointment of guardian of the estates.

Petition for appointment of guardian of the estates (G Black)

Appearance is required for continued hearing on petition for appointment of guardian of the estates.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

13. S-PR-0010200 Nathan-Houchin, Avery Berlin; In re guardianship of

Appearance is required for hearing on petition for appointment of guardian of the person. Failure to appear may result in this matter being dropped from calendar and / or dismissed.

Missing notice of hearing. Missing proof of service of notice of 15 days' personal service of notice of hearing with copy of the petition to each parent. Missing 15 days' service of notice of hearing with copy of the petition to maternal grandfather, paternal grandmother, and any siblings age 12 or older.

Missing investigation report.

Missing Livescan results for proposed guardian, Local Rule 80.4.1.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

14. S-PR-0010301 Marquez Sorto, Josue Ezequiel – In re the Guard

Petition for appointment of guardian of the person

Appearance is required for hearing on petition for appointment of guardian of the person.

Clarification is needed: date of birth stated in minor's supporting declaration is inconsistent with minor's age as stated in ¶ 1 of the declaration at 1:26 & 27 and 2:1.

Missing notice of hearing. Missing service of notice of hearing to second-degree relatives of minor (grandparent(s), sibling(s)).

Missing investigation report.

Missing Livescan report for proposed guardian, Local Rule 80.4.1.

Petition for special immigrant juvenile findings

Appearance is required for hearing on petition for special immigrant juvenile findings.

Missing notice of hearing. Missing service of notice of hearing.

☎ As described above, to appear for the hearing, use of remote telephone appearance system is generally required. See Local Rule 10.28 or contact the clerk's office for information.

1:31 PM

15. S-PR-0007602 Gee, Maxismo Ryan; In re guardianship of

No appearance is required for annual guardianship review. Next annual guardianship review hearing is set July 9, 2021, 1:31 p.m., in Department 40.

16. S-PR-0009173 North, Aria R & Benjamin A Jr; In re guardianship of

No appearance is required for annual guardianship review. Next annual guardianship review hearing is set July 9, 2021, 1:31 p.m., in Department 40.